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2011 APR 11 PM 3:25

CLERK
U.S. BANKRUPTCY
DISTRICT OF ARIZONA

1 LUPE GOMEZ
2 24818 W. Jones Ave
3 Buckeye, AZ 85326

4 Respondent/Debtor Pro Per

5 UNITED STATES BANKRUPTCY COURT

6 District of Arizona, Phoenix Division

7 In Re:
8 Chase Home Finance, LLC,
9 Movant,

10 v.

11 LUPE GOMEZ
12 RESPONDENT/DEBTOR,
13 ANTHONY H. MASON, CHAPTER 7
14 TRUSTEE,
15 Respondents/Debtors

CASE NO. 2:10-bk-25604-CGC

EMERGENCY
MOTION TO RECONSIDER

RE: Real property located at
24818 W. Jones Avenue, Buckeye, AZ

(Assigned to Hon. Charles G. Case, II)

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17
18 COMES NOW Debtor, LUPE GOMEZ, representing herself in Pro Per,
19 and, pursuant to Rule 7.1(e), Ariz. R. Civ. P., respectfully requests this Court to
20 reconsider its Order, dated 2/22/2011 (the "Order"), in which this Court granted the
21 Movant his request for a lift of the Automatic Stay..

22
23 1. Respondent/Debtor asks the Court to reconsider the Order, as the First
24 Paragraph of the Order states, "...Lifting Stay, having been duly served upon
25 Respondents..."

26 2. Respondent/Debtor respectfully states that she has never received any
27 notification from Movant, or their Attorney, of any Motion to Lift the Automatic Stay. Had
28 Debtor been aware that the Movant was seeking to lift the automatic stay, Debtor would

1 have filed her response to said Motion, and would have defended this Motion in Court, as
2 is her legal right, according to the rules.

3 3. It was only on Friday, April 8, 2011, when Debtor was speaking to a case
4 manager at the Bankruptcy Court, that she was informed of the Motion, Default, and
5 Order.
6

7 4. Debtor was grossly harmed by the misrepresentation that was made by
8 Movant's Attorneys stating that she had been served, when she was not, indeed, ever
9 legally served either by mail, nor in person regarding this matter.
10

11 Accordingly, for the reasons set forth above, Respondent/Debtor asks the Court to
12 reverse its dismissal, and reinstate the Automatic Stay, in order to allow Debtor to be
13 legally served on this matter, to have the opportunity to respond to the Motion, and to
14 eventually present the evidence to the Court before a verdict is rendered.
15

16
17 RESPECTFULLY SUBMITTED this 11 day of April, 2011.

18
19 
20 LUPE GOMEZ
21 Respondent/Debtor

22 Original of the foregoing filed this 11 day of
23 April, 2011 at:

24 U.S. Bankruptcy Court of Arizona
25 230 N. First Avenue, Suite 101
26 Phoenix, AZ 85003

27 Copy of the foregoing mailed this 11 day
28 Of April, 2011, to:

Mark S. Bosco
Leonard J. McDonald

1 2525 E. Camelback Road Suite 300
2 Phoenix, AZ 85016
3 Attorney for Movant

4 and

5 Anthony H. Mason
6 PO Box 4427
7 Phoenix, AZ 85030
8 U.S. Bankruptcy Trustee

9 and

10 Hon. Charles G. Case, II
11 230 N. First Avenue
12 Phoenix, AZ 85003
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